

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
NOVEMBER 15, 1967

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, November 15, 1967 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
WALTON and KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen and Planning Director Schroeder.

PLEDGE

Mayor Kirsten led the Pledge of Allegiance to the Flag.

MINUTES

Minutes of November 1, 1967 were approved as written and mailed on motion of Councilman Walton, Hunnell second.

PUBLIC HEARINGS

STANDARDS FOR
PORTION OF P-D
ZONE NO. 1

ORD. NO. 853
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the recommendation of the Planning Commission to adopt certain Development Standards for the multiple-family portion of Planned Development Zone No. 1 at the southeast corner of Turner Road and Lower Sacramento Road. Mr. Graves read the standards recommended, covering uses permitted, height and area, minimum yards and courts, land coverage, off-street parking and architectural supervision. Mr. John Capell, the developer, 324 La Vida Drive, Lodi, spoke in favor of the standards. There being no others in the audience who wished to be heard on this matter, the public portion of the hearing was closed. After discussion, it was moved by Councilman Culbertson that the Council introduce Ordinance No. 853 adopting Development Standards for the multiple-family portion of Planned Development Zone No. 1. The motion was seconded by Councilman Hunnell and carried.

BLDG. SETBACK
ON S. STOCKTON
BTW HARNEY AND
KETTLEMAN LANES

ORD. NO. 854
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor called for public hearing on the recommendation of the Planning Commission to establish a Special Building Setback Line in the incorporated areas of South Stockton Street between Kettleman Lane and Harney Lane. As recommended, in R-1, R-2, R-3, R-4 and C-P Districts the building setback would be 60 feet from the center line; in C-1, C-2 and M Districts the setback line would be 40 feet from the center line; in C-S Districts the setback line would be 90 feet from the center line; and in P-D Districts the setback line would be 40 feet plus any additional area established by the Planning Commission from the center line. After consideration, Councilman Brown moved the introduction of Ordinance No. 854 establishing the Special Building Setback Line on South Stockton Street in the incorporated areas between Kettleman Lane and Harney Lane. The motion was seconded by Councilman Walton and carried. Councilman Culbertson moved that the Planning Commission be requested to study rezoning the property on the west side of Stockton Street between Kettleman and Harney Lanes. The motion was seconded by Councilman Walton and carried.

PC TO STUDY
PREZONING
AREA WEST OF
STOCKTON ST.
BTW HARNEY AND
KETTLEMAN

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PLANNING COMMISSION

The City Manager read the report from the Planning Commission outlining the following actions taken at its meeting of November 13:

1. Adopted a Resolution upon the request of Mr. Glenn R. Houston which permits furniture upholstery shops in the C-1, Neighborhood Commercial zone under certain conditions.
2. Denied the request of St. Peter's Lutheran Church for a variance to permit off-street parking in the front yard setback area on Oxford Way and the Lower Sacramento Road Frontage Road at the site of a proposed church complex.
3. Approved the request of St. Peter's Lutheran Church for a use permit to construct a church complex consisting of six buildings at the southeast corner of Lower Sacramento Road and Oxford Way in an area zoned R-1 with certain conditions.
4. Recommended that the San Joaquin County Planning Commission approve the request of Mr. William Siemerling for a use permit to establish an artist studio in a mobile home at 17649 North Myrtle Street.
5. Recommended that the San Joaquin County Planning Commission deny the request of Mr. Edwin C. Reimche for a use permit to erect an 18-foot by 24-foot addition to a nonconforming television repair shop at 306 East Kettleman Lane.
6. Approved the request of Mr. N. W. Shavoley for a variance to reduce the required 5-foot side yards to 4 feet to permit the erection of a new dwelling at 1323 South Lee Avenue.
7. Denied the request of Mr. A. M. Jawad by Mr. C. L. Jones for a variance to reduce the required 20-foot driveway to 10 feet to permit the erection of a new 5-unit apartment house at 27 North Washington Street.
8. Denied the request of Mr. Harry George for a variance to construct 10 apartment units on a parcel where only 9 units are permitted at 1350-1354 West Walnut Street.
9. Denied the request of Union Oil Company of California for a use permit to erect a rotating "ball" sign on the site of a proposed service station at the northeast corner of Kettleman Lane and Cherokee Lane.
10. Denied the request of Stone Brothers and Associates by Ad Art for a variance to increase the maximum height of a shopping center identification sign from 35 feet to 41 feet to permit the installation of a decorative extension at the Lakewood Mall Shopping Center.
11. Approved the request of Mrs. Anita Wittmeier for a Minor Subdivision variance to permit the applicant to add 10 feet in depth to an alley lot with an existing dwelling at 309½ West Walnut Street.

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COMMUNICATIONS

APPEAL - A.M. JAWAD

A letter was read from C. L. Jones and Company on behalf of A. M. Jawad appealing the decision of the City Planning Commission in denying Mr. Jawad's request for a variance to reduce the driveway length from 20 feet to 10 feet at 27 North Washington Street to permit the erection of a 5-unit apartment house. On motion of Councilman Brown, Hunnell second, the matter was set for public hearing on December 6, 1967.

ABC LICENSE

Notice of Application for Alcoholic Beverage License, Off Sale Beer and Wine, was read, being a transfer from Carol and Paul Mettert to Dawan E. Heap, The Speedy Mart 7-11, 401 North California Street.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$248,547.62 were approved on motion of Councilman Walton, Culbertson second.

CAPPEL & HOUSTON RE FHA RENT SUPPLEMENT PROGRAM

In regard to the request of Mr. John Capell and Mr. Robert D. Houston for Council approval of their participation in the FHA Rent Supplement Program which had been continued from the meeting of November 1, Mr. Graves stated that he had discussed the matter with Mr. Keith Montgomery of the FHA office in Sacramento. Mr. Montgomery did not have much information regarding need for such a program in Lodi and would not conduct a survey unless the Council approved the request. Mr. Graves said he had no means of judging the need. Mayor Kirsten stated that he had talked to Mr. Montgomery also and had gotten the impression that FHA had reservations about the program for Lodi, that the funds could be used to better advantage elsewhere. Councilman Walton felt such a program was not needed in Lodi. Councilman Hunnell said he had talked to Mr. Montgomery and Congressman McFall and had gotten the impression that funds for the program should be used in areas where housing is really inadequate. Councilman Culbertson said he was inclined to agree with other members of the Council, but felt there may be a valid use for such a program in Lodi. Every town has some people who need help to live decently. Mr. Robert Houston said the Council should take time to survey the local situation. After further discussion, Councilman Culbertson moved that the request of Mr. Capell and Mr. Houston be continued for thirty days so that more facts could be obtained. The motion was seconded by Councilman Brown and carried, with Mayor Kirsten voting no.

PLANS & SPECS - CIVIC CENTER FOUNTAIN

Mr. Arlie Preszler presented the plans and specifications for the Civic Center Fountain. Councilman Brown moved that the plans and specifications for the Civic Center Fountain be approved and calling for bids authorized. The motion was seconded by Councilman Walton and carried.

At 9:30 p.m. a five-minute recess was held on motion of Councilman Culbertson, Hunnell second.

CATV ORD. NO. 855 INTRODUCED

The Council then reviewed a proposed ordinance providing for the granting of franchises for Community Antenna Television Systems. Mr. Lindsay P. Marshall, representing California Antenna TV, Inc., said they

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had gone over the ordinance in detail and found it satisfactory. Mr. John Reese, representing GE Cable TV, said he felt a 180-day time limit for the initial service would be preferable to 90 days. City Attorney Mullen mentioned that provision for payment of costs for raising the wires for house moving was not in the ordinance. The model ordinance from NIMLO has such a provision. After discussion, it was moved by Councilman Walton, Brown second, that the ordinance include the provision that the holder of the franchise would have to pay the cost of moving the wires when a house is to be moved. The motion carried. Councilman Culbertson then moved that the ordinance be changed so that the grantee would have 180 days after the permit is granted to provide the initial service and one year from acquiring the permit for completion. The motion was seconded by Councilman Walton. After further discussion, Councilman Culbertson withdrew his motion and Councilman Walton his second. Councilman Culbertson then moved that Paragraph (c) of the ordinance be changed so that initial service be started within 180 days after the permits are granted for a particular area and that it be completed within 15 months after permits are granted for a particular area. The motion was seconded by Councilman Walton. City Attorney Mullen suggested that "180 days" be changed to read "six months" for the sake of consistency and the motion carried with the change suggested. Councilman Brown moved the introduction of Ordinance No. 855 providing for the granting of franchises for Community Antenna Television Systems. The motion was seconded by Councilman Culbertson and carried unanimously.

AWARD -
TRACTOR LOADER

RES. NO. 3117

Only one bid was received for a tractor loader for the Recreation and Parks Department, being from Lodi Tractor Company for a net of \$2,900. The City Manager stated this was a reasonable bid and he recommended that award be made. On motion of Councilman Brown, Culbertson second, the City Council adopted Resolution No. 3117 awarding the contract for furnishing a tractor loader to Lodi Tractor Company in accordance with their bid.

AWARD -
3/4-TON TRUCK

RES. NO. 3122

Only one bid was received for the 3/4-ton truck for the Recreation and Parks Department. The bid was from Loewen Auto Company for a net of \$2,000 and the City Manager recommended that award be made. Councilman Walton moved the adoption of Resolution No. 3122 awarding the bid on the 3/4-ton truck to Loewen Auto Company for a total of \$2,000. The motion was seconded by Councilman Brown and carried.

AWARD -
COMPACT CARS

RES. NO. 3123

Bids received on two compact cars were as follows:

Loewen Auto Company	\$3,520.00
Green Ford Sales	3,953.18

Mr. Graves recommended that award be made to the low bidder. On motion of Councilman Walton, Culbertson second, the City Council adopted Resolution No. 3123 awarding the contract on the two compact cars to the low bidder, Loewen Auto Company, for the amount of the bid.

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AWARD -
FIRE CHIEF'S CAR
& TWO STANDARD
CARS

Bids received for the Fire Chief's car and two standard cars were as follows:

	Fire Chief's car	Two standard cars
RES. NO. 3124		
Loewen Auto Company	\$2,070.00	\$3,770.00
Green Ford Sales	2,571.30	4,408.77

Mr. Graves recommended that award be made to the low bidder. Councilman Hunnell, Culbertson second, moved the adoption of Resolution No. 3124 awarding the contract for the Fire Chief's car and two standard cars to the low bidder, Loewen Auto Company. Motion carried.

SPECS -
TRUCK

Specifications for a flatbed truck for the Utilities Department were approved and advertising for bids authorized on motion of Councilman Brown, Walton second.

CHARGES ON
XEROX COPIES
FOR PUBLIC

Assistant City Manager Peterson reported on the City's charges for making copies of documents for the public by the Police Department on the Xerox machine. He stated the Police Department had maintained a check for 30 days and determined that the principal persons requesting this service were insurance adjusters. Some use of this service was made by attorneys also. Mr. Peterson had surveyed six cities and the Highway Patrol. They all charge a flat fee of \$2.00 regardless of number of pages per document. Lodi charges \$1.00 for the first three pages and 50¢ for each additional page. The County of San Joaquin charges \$2.00 per page and the City of Tracy 50¢ per page. After discussion, Councilman Walton moved that the City charge \$1.00 for the first page and 25¢ for each additional page per each report to be copied. The motion was seconded by Councilman Culbertson and carried, with Mayor Kirsten casting a dissenting vote as he felt the present fees were reasonable.

DOCUMENTARY
STAMP TAX

Mr. Graves stated that the County was adopting an ordinance imposing a documentary stamp tax on the sale of real property since this source of revenue was being relinquished by the Federal Government. If the City wishes to receive part of such revenue, an ordinance imposing such a tax will have to be adopted. Enforcement would be by the County. Councilman Culbertson moved the introduction of Ordinance No. 856 imposing a documentary stamp tax on sale of real property within the City of Lodi. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

ORD. NO. 856
INTRODUCED

INCREASE MONTHLY
PARKING SPACES -
PARKING LOT #5

The City Manager explained that there is a demand for more spaces to be made available on a monthly basis at the parking lot located at the corner of Church and Elm Streets. There are 125 spaces in this lot, 91 of which are rented by the month at \$2.50 per space. He recommended that an additional 17 spaces be utilized for monthly rental, leaving 17 spaces metered. Councilman Culbertson moved the adoption of Resolution No. 3125 amending Resolution No. 2160

RES. NO. 3125

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and thereby providing for an additional 17 spaces at Parking Lot No. 5 (northeast corner of Church and Elm Streets) to be rented for a monthly charge payable in advance. The motion was seconded by Councilman Walton and carried by unanimous vote.

FINAL PAYMENT PUBLIC SAFETY BLDG. Mr. Graves referred to correspondence received from Mr. Marion J. Varner, architect for the Public Safety Building, recommending that final payment be made to the general contractor. On motion of Councilman Walton, Brown second, the City Council authorized that final payment be made on the public safety building.

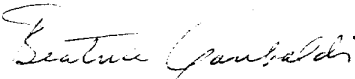
1966-67 AUDIT ACCEPTED The annual audit for 1966-67 prepared by H. P. McCandless, copies of which had been received by members of the City Council, was accepted by the Council on motion of Councilman Culbertson, Hunnell second.

LANDSCAPING BTJ CHRISTIAN SCIENCE CHURCH AND PARKING LOT Mr. Graves said meetings had been held with representatives of the First Church of Christ, Scientist, in regard to landscaping the Church property between the Church building and the City parking lot west of the Public Safety Building. They had agreed the Church would purchase two trees for the area and the City would plant shrubs and maintain the area. Mr. Graves recommended that the Council approve this arrangement. On motion of Councilman Culbertson, Walton second, the City Council approved the arrangements worked out with the First Church of Christ, Scientist, for landscaping and maintenance as recommended by the City Manager.

HALLINAN PROPERTY Councilman Culbertson stated the Council should come to some conclusion concerning the offer made to the City by Mr. T. J. Hallinan for purchase of his property west of the Stadium. Mr. Hallinan needs a yes or no answer so that he can proceed. The matter was discussed, but the Council did not reach a conclusion.

ADJOURNMENT

There being no further business, the meeting adjourned at 11: 35 p.m.


Attest: Beatrice Garibaldi
City Clerk